

Issued September 27, 1912.

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 1655.

(Given pursuant to section 4 of the Food and Drugs Act.)

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### ADULTERATION OF ICE CREAM CONES.

On September 30, 1911, the United States Attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the Circuit Court of the United States for said district an information against the Star Wafer Co., a corporation organized under the laws of Oklahoma, with an office at Birmingham, Ala., alleging shipment by it, on July 1, 1910, in violation of the Food and Drugs Act, from the State of Alabama into the State of Tennessee of a consignment of ice cream cones which were adulterated.

Analysis of a sample of the product by the Bureau of Chemistry showed the following results: Boric acid (qualitative test), positive; boric acid, 0.18 per cent; coal-tar color, present, identified as Naphthol Yellow S; No. of cones, O. K. Adulteration was alleged in the information for the reason that the product contained an added poisonous and deleterious ingredient, namely, boric acid, which might render it injurious to health.

On March 6, 1912, the case having come on for trial before the court and a jury, a verdict of guilty was returned and the court imposed a fine of \$100 and costs.

W. M. HAYS,  
*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *July 12, 1912.*

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